

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Tracy Taylor : 18-17997-MDC  
Debtor :  
: Chapter 13

**DEBTOR'S RESPONSE TO CHAPTER 13 TRUSTEE'S ANSWER**

The Debtor, by her attorney, responds to the Chapter 13 Trustee's answer as follows:

1. Admitted. The Confirmed Plan base amount is \$189,144.95.

2. Denied. The Trustee states the balance owed to complete plan payment is \$3,071.02, as debtor paid \$186,073.93 to date. Trustee's calculation that \$3,071.02 remains to be paid is based on debtor's counsel's attorneys fee of \$3,000 in the confirmed plan. The court reduced the \$3,000 amount to \$2,500. See D.I. #49 (Order on Application for Compensation). Therefore, the requested \$3,071.02 to complete the plan payments should be reduced by \$550 (\$500 reduction in attorneys fees in addition to \$50 to account for the Trustee's statutory 10% interest imputed on attorneys fees in the plan calculation). Accordingly, the Trustee's request to complete plan payments should be reduced from \$3,071.02 to **\$2,521.02** to account for the stricken attorneys fees.

3. Admitted. Debtor's position is that the change in plan base amount from \$189,144.95 to \$185,008.15 is simply caused by the mortgage creditors payoff amount being less than that which was originally scheduled. The mortgage creditor was scheduled at \$149,027.31 in the confirmed plan, whereas the Claims Registry only paid \$139,909.78 to Community Loan Servicing, which filed Proof of Claim # 9. Community Loan Servicing withdrew its Proof of Claim # 9 on August 30, 2023 (D.I. # 68). See Claims Registry attached. Trustee's Claim Registry states (\$139,909.78) was paid to Community Loan Servicing, which is \$9,117.53 less than allotted in the confirmed plan.

Even though the base amount is reduced in the proposed plan due to the recalibration of CLS's claim, Debtor's proposed plan still pays more to creditors than her confirmed plan:

	<b>Confirmed Plan</b>	<b>Proposed Plan</b>
<b>Unsecured Creditors</b>	<b>\$0.00</b>	<b>\$2,700.13</b>
<b>Secured Creditors (¶4c)</b>	<b>\$19,071.63</b>	<b>\$20,546.83</b>
<b>*Includes late water bill</b>		

Even though the base amount is reduced, ALL creditors will receive MORE in the Debtor's proposed 3<sup>rd</sup> Amended Plan than the confirmed plan. See Attached.

4. Denied. Debtor's confirmed plan needs to be modified for the following reasons:

a) Attorneys fees were stricken after the confirmed plan;

b) Mortgage creditor's original scheduled amount needs to be recalibrated based upon the Trustee only paying \$139,909.78 on a claim originally scheduled for \$149,027.31;

c) Debtor desires to repay City of Philadelphia's late filed secured claim.

Respectfully submitted,  
Stephen M. Dunne, Esquire  
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